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SUBJECT: LTP REFUSES SEATS ON CITY COUNCIL; PRESIDENT HAILS ELECTION
AS "SERIOUS STEP FORWARD"

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SUMMARY

¶1. (SBU) At the peaceful yet heavily policed post-election June 1 rally held by the Armenian National Congress (ANC), Levon Ter-Petrossian (LTP) denounced Yerevan's May 31 mayoral election as the "ugliest election in Armenia's history." He announced that the ANC would not occupy the projected 13 seats it had won on Yerevan's new city council and that the next demonstration would be on June 12 (postponing the previously scheduled and authorized June 2 and June 3 rallies). He declared that the ANC would no longer pursue dialogue or compromise with the authorities, and that its new goal is the resignation of President Sargsian. Meanwhile, President Sargsian hailed the polls as a "serious step forward," noting violations only at "some polling stations." The Council of Europe praised the overall conduct of the election as largely democratic, despite noting "serious deficiencies." LTP criticized the Council's assessment and the United States and Europe for not having been more critical of the disputed 2008 presidential election. END SUMMARY.

LTP BLASTS ELECTIONS, REFUSES COUNCIL SEATS

¶2. (SBU) At its first post-election rally held June 1, a day after Yerevan's first election of its mayor and a new city council, LTP blasted the poll as "the ugliest election in Armenia's history." LTP said that "only one thing is making progress in Armenia," and "that is the mechanism for rigging elections." LTP and other ANC leaders condemned the electoral fraud, citing vote-buying as the most common abuse and claiming that between 100,000 and 150,000 Yerevan residents sold their votes to President Sargsian's Republican Party of Armenia (RPA).

¶3. (SBU) In front of an estimated 7,000 supporters, LTP declared that the ANC would no longer pursue dialogue or compromise with the authorities to address the lingering aftermath of the disputed 2008 presidential election, and that the ANC will instead pursue Sargsian's resignation. While calling Sargsian "an ordinary usurper who must be immediately ousted and put on trial," LTP announced that he would not rush to repeat the kind of non-stop anti-government protests which followed the 2008 election. LTP also stated that the ANC would not regard any document signed by President Sargsian as having legal force, in particular those regarding "Turkish-Armenian relations or the resolution of the Nagorno-Karabakh conflict." Urging his supporters to remain upbeat, LTP promised to present a plan for further opposition actions at the next ANC rally scheduled for June 12.

¶4. (SBU) LTP also announced that the the ANC had decided to boycott the projected 13 seats it had won in the city's new 65-member city council. (Note: According to a lawyer from the Central Electoral

Commission (CEC) whom the Embassy contacted, Armenia's Election code envisages no scenario or recourse for when an elected party refuses to take the mandate. The lawyer said that at this point the mandates still "belong" to the ANC, and that the ANC theoretically should be eligible to claim them in the future. End Note.) With the ANC seats vacant, only 52 of the council's 65 seats will be claimed.

SARGSIAN PUBLICLY HAILS ELECTION

15. (SBU) In a written statement released on June 1, President Sargsian welcomed the conduct and results of the election, saying they marked a "serious step forward" in the elimination of Armenia's culture of electoral fraud. Part of that statement read that "The May 31 elections and the entire pre-election period demonstrated that we have managed to solve a considerable part of long-standing problems existing in electoral processes and moved forward in solving others." He acknowledged violations in "some polling stations" and that he will seek to ensure that "all the guilty are identified and strictly punished."

PROSECUTOR-GENERAL DOWNPLAYS VOTE FRAUD

16. (SBU) Meanwhile, the Prosecutor-General's Office (PGO) on June 1 publicly urged the CEC to order recounts in eight precincts of the Malatia-Sebastia district, which witnessed the largest number of fraud instances, with a PGO spokeswoman citing media reports of ballot-stuffing and violence against journalists and observers. The ANC so far has not lodged any written election-related complaints, deeming them superfluous due to what they view as law enforcement's complicity in vote rigging. The ruling RPA acknowledged problems in

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Malatia-Sebastia but said it was too early to tell whether they had a serious impact on the results.

17. (SBU) In a June 2 meeting that the Ambassador had scheduled with Prosecutor-General Aghvan Hovsepien before the election, Hovsepien deplored the irregularities with the vote, but minimized them by saying they could not have significantly altered the outcome of the election. He detailed how the PGO's special working group to investigate election-related violations had identified 38 potential violations from May 1 through Election Day on May 31. (Note: The election campaign officially took place from May 2 through May 29. End Note.) Hovsepien noted that the PGO working group had personally identified 28 of these potential violations through its monitoring of "alarms" in the media, with the balance coming from unspecified complainants.

18. (SBU) Hovsepien added that out of the 38, four criminal cases had been launched, one had been disposed of with a clarification by him, and 33 were still "in process," which Hovsepien was at pains to qualify. He said in one of the four criminal cases, two people had already been arrested after they independently came forward to admit ballot stuffing in one of the voting precincts in Malatia-Sebastia. When the Ambassador pressed Hovsepien on the specifics of the investigation, namely if investigators had received corroborating testimony from officials at the precinct, he said he didn't know, because the investigation had begun only at 5:00 pm the evening before. His deputy then interjected that it wasn't an issue, since the two suspects "said more than the observers" present at the scene. Hovsepien then said that criminal charges would likely be forthcoming in the next days on another of these cases.

DASHNAKS DO NOT RECOGNIZE VOTE RESULTS

19. (SBU) Also on June 1, the Armenian Revolutionary Federation - Dashnaktsutiun (Dashnaks) decried the election as deeply flawed and said it will not recognize the official results. The Dashnaks received only 4.7 percent of the vote, failing to win any seats in

the new city council. (Note: The threshold to win seats was attaining seven percent of votes cast. End Note.) The Dashnaks' dismal performance followed its poor showing in the 2008 presidential election, where it netted only six percent of the vote. Dashnak leaders charged that "once again, what happened was more of the same," and alleged widespread vote-buying, use of administrative resources by the ruling parties, and voter intimidation by wealthy, government-connected figures. They added that "such elections are a manifestation of criminal responsibility." Although the Dashnaks' CEC member signed the preliminary tally released by the CEC on Monday morning with "reservations," Dashnak leaders say he will not sign the final vote results due for release later this week.

ROAD BLOCKS AND RALLY DYNAMICS

¶10. (SBU) Emboffs estimated attendance to be 7,000 at the event-free rally, but noted a significant presence of riot police in nearby streets. ANC supporters appeared to be more fired up than at past rallies, especially when one of the ANC election campaign managers enumerated the litany of reported voting irregularities committed against the ANC in the Malatia-Sebastia district. It appeared that more youth attended this rally than previous ones held recently by ANC.

¶11. (SBU) According to RFE/RL, there were numerous eyewitness accounts of police roadblocks being mounted ahead of the ANC's rally on roadways leading into Yerevan. Embassy staff and drivers dispatched to several of the main highways confirmed the roadblocks and police actively stopping buses, minibuses and private vehicles. RFE/RL quoted one police officer as saying the police chief had ordered the roadblocks as part of a special operation to search for weapons and drugs. (Comment: Interestingly, these roadblocks so far have been mounted only on those days that the ANC holds its rallies. End Comment.) The police officer denied that transport to Yerevan was restricted only ahead of opposition protests. "We are not checking anyone. We are just waiting for a bus," claimed another officer holding a notebook with two dozen license plate numbers.

COMMENT

¶12. (SBU) LTP's criticism of the vote was to be expected, but the ANC decision to boycott the new city council comes as somewhat of a surprise. Now that the ANC has finally gained an opportunity to enter the government, which it has said it wants, it has decided to

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remain outside. The ANC is playing this as a response to the election fraud, but in our view it also betrays a lack of seriousness by LTP and his supporters. Although LTP no doubt intends to remain a thorn in the side of the authorities, his now publicly-stated goal of regime change seems little more than an effort to rile up his dwindling crowds. The ANC has an opportunity to play a constructive role by representing its constituents at the municipal level. For now, disappointingly, it has simply opted out.

YOVANOVITCH